

**Sterne Kessler  
Goldstein Fox**  
ATTORNEYS AT LAW



Robert Greene Sterne  
Jorge A. Goldstein  
David K.S. Connell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michelle A. Cimbalu  
Michael B. Ray  
Robert E. Scholz  
Eric K. Steffe  
Michael O. Lee  
Steven R. Ludwig  
John M. Covert  
Robert C. Millington  
Donald J. Featherstone  
Timothy J. Shea, Jr.  
Michael V. Messinger  
Judith W. Kim  
Patrick E. Garrett  
Jeffrey L. Heiley

Eldora L. Ellison  
Thomas C. Fiala  
Donald R. Baranoff  
Peter A. Jackson  
Jeffrey S. Weaver  
Brian J. Del Buono  
Mark Fox Evans  
Edward W. Yee  
Vincent L. Capuano  
Virgil Lee Beaton  
Theodore A. Wood  
Elizabeth J. Haines  
Joseph S. Osoff  
Frank R. Cottingham  
Daniel A. Klein  
Jason D. Eisenberg  
Michael D. Specht  
Tracy L. Muller  
Jon E. Wright

Lukane M. DeSantis  
Ann E. Summerfield  
Helene C. Carlson  
Cynthia M. Bouchiez  
Timothy A. Doyle  
Gaby L. Longworth  
Lori A. Gordon  
Laura A. Vogel  
Bryan S. Wade  
Basil M.S. Ali  
Shannon A. Carroll  
Anbar F. Khal  
Michelle E. Holoubek  
Mantha A. Rose  
Young Tang  
Christopher J. Walsh  
W. Blake Coblentz  
James J. Pohl  
John T. Hagan

Mark W. Rygiel  
Kevin W. McCabe  
Michael R. Malek  
Doye A. Siew  
Uriah Winkler

**Registered Patent Agents\***  
Karen B. Marlowicz  
Matthew J. Dowd  
Kathia Tujan Pri Quach  
Bryan L. Seaton  
Robert A. Schwartzman  
Victoria S. Rutherford  
Simon J. Elliott  
Julia A. Heider  
Mita Mukherjee  
Scott M. Woodhouse

Liliana Di Nola-Baron  
Peter A. Socarras  
Jeffrey K. Mills  
Danielle L. Lutting  
Lori Brandes  
Steven C. Oppenheimer

**Of Counsel**  
Edward J. Kessler  
Kenneth C. Bass III  
Marvin C. Gubrie

\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

February 28, 2007

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 1614**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application No. 10/578,403  
(U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443; I.A. Date: November 4, 2004)  
For: **2-HALOGEN-6-ALKYL-PHENYL SUBSTITUTED SPIROCYCLIC  
TETRAMIC ACID DERIVATIVES**  
Inventors: FISCHER *et al.*  
Our Ref: 2400.0320000/VLC/CMB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO/SB/08A listing fifty-eight (58) cited documents;
3. Copies of fifty-five (55) of the fifty-eight (58) cited documents (**FP1-FP55**);
4. Form PTO/SB/08B listing forty-two (42) cited documents;
5. Copies of the forty-two (42) cited documents (**NPL1-NPL42**); and
6. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

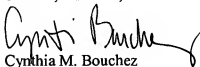
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
February 28, 2007  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Cynthia M. Bouchez  
Attorney for Applicants  
Registration No. 47,438

JMC/VLC/CMB:krh  
Enclosures

646956\_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FISCHER *et al.*

Appl. No.: 10/578,403

(U.S. Nat'l Phase of Int'l Appl.  
No. PCT/EP2004/012443)

Filed: November 4, 2004

For: **2-Halogen-6-Alkyl-Phenyl  
Substituted Spirocyclic Tetramic  
Acid Derivatives**

Confirmation No.: 1672

Art Unit: 1614

Examiner: *To Be Assigned*

Atty. Docket: 2400.0320000/ VLC/CMB

**Information Disclosure Statement  
Under 37 C.F.R. § 1.97(b)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Information Disclosure Statement Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1** to **FP55** and **NPL1** to **NPL42** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents cited on the attached Form PTO/SB/08A, documents **US1** to **US3**, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, **FP1** to **FP6**, **FP8** to **FP20**, **FP22**, **FP23**, **FP25** to **FP55**, **NPL1**, **NPL4** to **NPL6**, and **NPL11**, cited on Forms PTO/SB/08A and PTO/SB/08B:

Document **FP1**, DE 2 218 097 A1, is in the German language. An English language abstract of document FP1 is cited as document **NPL16** and submitted herewith.

Document **FP2**, DE 2 350 547 A1, is in the German language. An English language abstract of document FP2 is cited as document **NPL17** and submitted herewith.

Document **FP3**, EP 0 086 750 A2, is in the German language. An English language abstract of document FP3 is cited as document **NPL18** and submitted herewith.

Document **FP4**, EP 0 094 349 A2, is in the German language. An English language abstract of document FP4 is cited as document **NPL19** and submitted herewith.

Document **FP5**, EP 0 174 562 A2, is in the German language. An English language abstract of document FP5 is cited as document **NPL20** and submitted herewith.

Document **FP6**, EP 0 191 736 A2, is in the German language. An English language abstract of document FP6 is cited as document **NPL21** and submitted herewith.

Document **FP8**, EP 0 269 806 A1, is in the German language. An English language abstract of document FP8 is cited as document **NPL22** and submitted herewith.

Document **FP9**, EP 0 333 131 A1, is in the German language. An English language abstract of document FP9 is cited as document **NPL23** and submitted herewith.

Document **FP10**, EP 0 346 620 A1, is in the German language. An English language abstract of document FP10 is cited as document **NPL24** and submitted herewith.

Document **FP11**, EP 355 599 A1, is in the German language. An English language abstract of document FP11 is cited as document **NPL25** and submitted herewith.

Document **FP12**, EP 0 377 893 A1, is in the German language. An English language abstract of document FP12 is cited as document **NPL26** and submitted herewith.

Document **FP13**, EP 0 415 211 A2, is in the German language. An English language abstract of document FP13 is cited as document **NPL27** and submitted herewith.

Document **FP14**, WO 91/07874 A1, is in the German language. An English language abstract of document FP14 can be found on the face page of the published patent application.

Document **FP15**, WO 91/08202 A1, is in the German language. An English language abstract of document FP15 can be found on the face page of the published patent application.

Document **FP16**, EP 0 442 073 A2, is in the German language. An English language abstract of document FP16 is cited as document **NPL28** and submitted herewith.

Document **FP17**, EP 0 442 077 A2, is in the German language. An English language abstract of document FP17 is cited as document **NPL29** and submitted herewith.

Document **FP18**, EP 0 456 063 A2, is in the German language. An English language abstract of document **FP18** is cited as document **NPL30** and submitted herewith.

Document **FP19**, EP 0 492 366 A2, is in the German language. An English language abstract of document **FP19** is cited as document **NPL31** and submitted herewith.

Document **FP20**, EP 0 521 334 A1, is in the German language. An English language abstract of document **FP20** is cited as document **NPL32** and submitted herewith.

Document **FP22**, EP 0 582 198 A2, is in the German language. An English language abstract of document **FP22** is cited as document **NPL33** and submitted herewith.

Document **FP23**, EP 0 596 298 A2, is in the German language. An English language abstract of document **FP23** is cited as document **NPL34** and submitted herewith.

Document **FP25**, EP 0 613 884 A2, is in the German language. An English language abstract of document **FP25** is cited as document **NPL35** and submitted herewith.

Document **FP26**, EP 0 613 885 A2, is in the German language. An English language abstract of document **FP26** is cited as document **NPL36** and submitted herewith.

Document **FP27**, WO 94/29268 A1, is in the German language. An English language abstract of document FP27 can be found on the face page of the published patent application.

Document **FP28**, WO 95/01971 A1, is in the German language. An English language abstract of document FP28 can be found on the face page of the published patent application.

Document **FP29**, WO 95/07897 A1, is in the German language. An English language abstract of document FP29 can be found on the face page of the published patent application.

Document **FP30**, WO 95/20572 A1, is in the German language. An English language abstract of document FP30 can be found on the face page of the published patent application.

Document **FP31**, EP 0 668 267 A1, is in the German language. An English language abstract of document FP31 is cited as document **NPL37** and submitted herewith.

Document **FP32**, WO 95/26954 A1, is in the German language. An English language abstract of document FP32 can be found on the face page of the published patent application.

Document **FP33**, WO 96/25395 A1, is in the German language. An English language abstract of document FP33 can be found on the face page of the published patent application.

Document **FP34**, WO 96/35664 A1, is in the German language. An English language abstract of document FP34 can be found on the face page of the published patent application.

Document **FP36**, WO 97/01535 A1, is in the German language. An English language abstract of document FP36 can be found on the face page of the published patent application.

Document **FP37**, WO 97/02243 A1, is in the German language. An English language abstract of document FP37 can be found on the face page of the published patent application.

Document **FP38**, WO 97/36868 A2, is in the German language. An English language abstract of document FP38 can be found on the face page of the published patent application.

Document **FP39**, WO 97/43275 A2, is in the German language. An English language abstract of document FP39 can be found on the face page of the published patent application.

Document **FP40**, DE 196 21 522 A1, is in the German language. An English language abstract of document FP40 is cited as document **NPL38** and submitted herewith.

Document **FP41**, WO 98/05638 A2, is in the German language. An English language abstract of document FP41 can be found on the face page of the published patent application.



Document **FP42**, WO 98/06721 A1, is in the German language. An English language abstract of document FP42 can be found on the face page of the published patent application.

Document **FP43**, EP 0 835 243 B1, is in the German language. An English language equivalent of document FP43 is listed as document **US1**.

Document **FP45**, WO 99/16748 A1, is in the German language. An English language abstract of document FP45 can be found on the face page of the published patent application.

Document **FP46**, WO 99/24437 A1, is in the German language. An English language abstract of document FP46 can be found on the face page of the published patent application.

Document **FP47**, WO 99/43649 A1, is in the German language. An English language abstract of document FP47 can be found on the face page of the published patent application.

Document **FP48**, WO 99/48869 A1, is in the German language. An English language abstract of document FP48 can be found on the face page of the published patent application.

Document **FP49**, WO 99/55673 A1, is in the German language. An English language abstract of document FP49 can be found on the face page of the published patent application.

Document **FP50**, WO 99/66795 A1, is in the German language. An English language abstract of document FP50 can be found on the face page of the published patent application.

Document **FP51**, WO 01/09092 A1, is in the German language. An English language abstract of document FP51 can be found on the face page of the published patent application.

Document **FP52**, WO 01/17972 A2, is in the German language. An English language abstract of document FP52 can be found on the face page of the published patent application.

Document **FP53**, WO 01/23354 A2, is in the German language. An English language abstract of document FP53 can be found on the face page of the published patent application.

Document **FP54**, WO 01/74770 A1, is in the German language. An English language abstract of document FP54 can be found on the face page of the published patent application.

Document **NPL1**, "Reaction of 1,3-cyclohexadiene with azodicarboxylic acid diethyl ester," *Chem. Berichte*, 5 pages (1965), is in the German language. An English language abstract of document NPL1 is cited as document **NPL39** and submitted herewith.

Document **NPL4**, "Addition Des Réactifs Nucléophiles Sur La Triple Liaison Nitrile," *Ann. Chim.*, 12 pages (1970), is in the French language. An English language abstract of document NPL4 can be found on the face page of the article.

Document **NPL5**, "Synthesis of steranthrenes. III. 3,4-Aceperinaphthane and 6,7-aceperinaphthane," *Ann. Chem.*, 15 pages (1954), is in the German language. An English language abstract of document NPL5 is cited as document **NPL40** and submitted herewith.

Document **NPL6**, "The endo-methylenepiperidazine resulting from cyclopentadiene and azo ester and its transformation into 1,3-diaminocyclopentane," *Ann. Chem.* 21 pages (1925), is in the German language. An English language abstract of document NPL6 is cited as document **NPL41** and submitted herewith.

Document **NPL11**, "Cyclization of N-acylalanine and N-acylglycine Esters," *Liebigs Ann. Chem.*, 4 pages (1985) is in the German language. An English language abstract of document NPL11 can be found on the face page of the article

Documents **FP35**, **FP44**, and **FP55** were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. The search report is attached as document **NPL42** on the IDS Form, PTO/SB/08B. 1138 OG 37, 38.

Applicants would also like to bring to the attention of the Examiner that, for the following document, the volume number could not be determined after reasonable efforts by the Applicants: **NPL9**, Munday, L., "Amino-acids of the Cyclohexane Series. Part I.," *J. Chem. Soc.*, 8 pages (1961).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Information Disclosure Statement Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

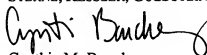
This Information Disclosure Statement is being before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Cynthia M. Bouchez  
Attorney for Applicants  
Registration No. 47,438

Date: February 28, 2007

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

593197v1



Approved for use through 09/30/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number

10/578.403

(U.S. Nat'l Phase of Int'l Appl.  
No. PCT/EP2004/012443)

Int'l Filing Date

November 4, 2004

First Named Inventor

FISCHER, Reiner

Art Unit

1614

Examiner Name \_\_\_\_\_

### To Be Assigned

Attorney Docket Number


2400.0320000/VLC/CMB

Sheet	1	of	7
-------	---	----	---

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
		Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>4</sup> (if known)				
<div>“K.B.”</div> <div></div>	FP1	DE 2 218 097 A1		11/02/1972	Stauffer Chemical Co.	Abs
	FP2	DE 2 350 547 A1		04/25/1974	Stauffer Chemical Co.	Abs
	FP3	EP 0 086 750 A2		08/24/1983	Ciba-Geigy AG	Abs
	FP4	EP 0 094 349 A2		11/16/1983	Ciba-Geigy AG	Abs
	FP5	EP 0 174 562 A2		03/19/1986	Hoechst Aktiengesellschaft	Abs
	FP6	EP 0 191 736 A2		08/20/1986	Ciba-Geigy AG	Abs
	FP7	EP 0 262 399 A2		04/06/1988	Takeda Chemical Industries, Ltd.	Abs
	FP8	EP 0 269 806 A1		06/08/1988	Hoechst Aktiengesellschaft	Abs
	FP9	EP 0 333 131 A1		09/20/1989	Hoechst Aktiengesellschaft	Abs

Examiner Signature	/Kristin Bianchi/	Date Considered	01/02/2009
-----------------------	-------------------	--------------------	------------

**EXAMINER:** Initial if reference consider, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.





If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				<p><b>Complete if Known</b></p> <table border="1"> <tr> <td>Application Number</td> <td>10/578,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443)</td> </tr> <tr> <td>Int'l Filing Date</td> <td>November 4, 2004</td> </tr> <tr> <td>First Named Inventor</td> <td>FISCHER, Reiner</td> </tr> <tr> <td>Art Unit</td> <td>1614</td> </tr> <tr> <td>Examiner Name</td> <td>To Be Assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>2400.0320000/VLC/CMB</td> </tr> </table>		Application Number	10/578,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443)	Int'l Filing Date	November 4, 2004	First Named Inventor	FISCHER, Reiner	Art Unit	1614	Examiner Name	To Be Assigned	Attorney Docket Number	2400.0320000/VLC/CMB
Application Number	10/578,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443)																
Int'l Filing Date	November 4, 2004																
First Named Inventor	FISCHER, Reiner																
Art Unit	1614																
Examiner Name	To Be Assigned																
Attorney Docket Number	2400.0320000/VLC/CMB																
<p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)</p>																	
Sheet	7	of	7														

[illegible][illegible]

592908v1

Examiner Signature	/Kristin Bianchi/	Date Considered	01/02/2009
-----------------------	-------------------	--------------------	------------

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>1</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>2</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

Copyrighted information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a collection by the public which is to file (and) by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This benefit is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*



PTO/SB/06B (07-06)

Approved for use through 09/30/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
Application Number	10/578,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443)	Int'l Filing Date	November 4, 2004
First Named Inventor	FISCHER, Reiner	Art Unit	1614
Examiner Name	To Be Assigned	Attorney Docket Number	2400.0320000/VLC/CMB
Sheet	1 of 5		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
/K.B./	NPL1	Askani, R., "Reaction of 1,3-cyclohexadiene with azodicarboxylic acid diethyl ester," <i>Chem. Berichte</i> 98:2551-2555, Verlag Chemie (1965)	Abs
	NPL2	Bacocchi, E., et al., "Dimethyl Arylmalonates from Cerium (IV) Ammonium Nitrate Promoted Reactions of Dimethyl Malonate with Aromatic Compounds in Methanol," <i>Tetrahedron Lett.</i> 27:2763-2766, Elsevier (1986)	
	NPL3	Bhattacharya, B., "Isoquinoline Derivatives: Part XVIII—Formation of 1-Alkyl-(or alkaryl or aryl)-3-methyl-7-chloro-(or 5-chloro)-isoquinolines," <i>Indian J. Chem.</i> 6:341-345, Council of Scientific & Industrial Research (1968)	
	NPL4	Compagnon, P.L. and Mioque, M., "Addition Des Réactifs Nucléophiles Sur La Triple Liaison Nitrile," <i>Ann. Chim.</i> 5:11-22, Società chimica italiana (1970)	Abs
	NPL5	Dannenberg, V.H. and Dannenberg-von Dresler, D., "Versuche zur Synthese des „Steranthrens“ III," <i>Justus Liebigs Ann. Chem.</i> 583:1-15, Verlag Chemie (1954)	Abs
	NPL6	Diels, V.O., et al., "Über das aus Cyclopentadien und Azoester entstehende Endomethylen-piperidazin und seine Überführung in 1,3-Diamino-cyclopentan," <i>Justus Liebigs Ann. Chem.</i> 443:242-262, Verlag Chemie (1925)	Abs
	NPL7	Edward, J.T. and Jirangsri, C., "Stereochemistry of the Bucherer-Bergs and Strecker Reactions of 4-tert-Butylcyclohexanone," <i>Can. J. Chem.</i> 53:3339-3350, NRC Research Press (1975)	
	NPL8	Harrison, H.R., et al., "Use of molecular sieves in the methyl esterification of carboxylic acids," <i>Chem. Ind.</i> 45:1568, Society of Chemical Industry (1968)	
↓	NPL9	Munday, L., "Amino-acids of the Cyclohexane Series. Part I," <i>J. Chem. Soc.</i> : 4372-4379, Chemical Society (1961)	

Examiner Signature	/Kristin Bianchi/	Date Considered	01/02/2009
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.58. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		Application Number	10/578,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443)
		Int'l Filing Date	November 4, 2004
		First Named Inventor	FISCHER, Reiner
		Art Unit	1614
		Examiner Name	To Be Assigned
		Attorney Docket Number	2400.0320000/VLC/CMB
Sheet	2	of	5

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>
/K.B./ ↓	NPL10	Nakanishi, S. and Butler, K., "Synthesis of Chlorocarbonyl Ketenes," <i>Org. Prep. Proced. Int.</i> 7:155-158, Organic Preparations and Procedures, Inc. (1975)	
	NPL11	Schmieder, R. and Mildenberger, H., "Cyclization of N-acetylaniline and N-acetylglycine Esters," <i>Liebigs Ann. Chem.</i> 1985:1095-1098, Verlag Chemie (1985)	Abs
	NPL12	Sonntag, N.O.V., "The Reactions of Aliphatic Acid Chlorides," <i>Chem. Rev.</i> 52:237-416, American Chemical Society (1953)	
	NPL13	Suzuki, S. et al., "Studies on Antiviral Agents. IV. Biological Activity of Tenuazonic Acid Derivatives," <i>Chem. Pharm. Bull.</i> 15:1120-1122, Pharmaceutical Society of Japan (1967)	
	NPL14	Beilstein Database, Beilstein Registry No. 4957401, "ethyl 2-propylcarbazate," (entry date 1992)	
	NPL15	Beilstein Database, Beilstein Registry No. 4968273, "ethyl 2,3-dipropylcarbazate," (entry date 1992)	
	NPL16	Dialog File 351, Accession No. 502720, Derwent WPI English language abstract for DE 2 218 097 A1 (listed on accompanying PTO/SB/08A as document FP1)	
	NPL17	Dialog File 351, Accession No. 629712, Derwent WPI English language abstract for DE 2 350 547 A1 (listed on accompanying PTO/SB/08A as document FP2)	
NPL18	Dialog File 351, Accession No. 2714950, Derwent WPI English language abstract for EP 0 086 750 A2 (listed on accompanying PTO/SB/08A as document FP3)		

Examiner Signature	/Kristin Bianchi/	Date Considered	01/02/2009
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	10/578,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443)
				Int'l Filing Date	November 4, 2004
				First Named Inventor	FISCHER, Reiner
				Art Unit	1614
				Examiner Name	To Be Assigned
Sheet	3	of	5	Attorney Docket Number	2400.0320000/VLC/CMB

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>
/K.B./	NPL19	Dialog File 351, Accession No. 2777922, Derwent WPI English language abstract for EP 0 094 349 A2 (listed on accompanying PTO/SB/08A as document FP4)	
	NPL20	Dialog File 351, Accession No. 3892231, Derwent WPI English language abstract for EP 0 174 562 A2 (listed on accompanying PTO/SB/08A as document FP5)	
	NPL21	Dialog File 351, Accession No. 3770049, Derwent WPI English language abstract for EP 0 191 736 A2 (listed on accompanying PTO/SB/08A as document FP6)	
	NPL22	Dialog File 351, Accession No. 4372286, Derwent WPI English language abstract for EP 0 269 806 A1 (listed on accompanying PTO/SB/08A as document FP8)	
	NPL23	Dialog File 351, Accession No. 4889149, Derwent WPI English language abstract for EP 0 333 131 A1 (listed on accompanying PTO/SB/08A as document FP9)	
	NPL24	Dialog File 351, Accession No. 4963457, Derwent WPI English language abstract for EP 0 346 620 A1 (listed on accompanying PTO/SB/08A as document FP10)	
	NPL25	Dialog File 351, Accession No. 5386698, Derwent WPI English language abstract for EP 0 355 599 A1 (listed on accompanying PTO/SB/08A as document FP11)	
	NPL26	Dialog File 351, Accession No. 5225712, Derwent WPI English language abstract for EP 0 377 893 A1 (listed on accompanying PTO/SB/08A as document FP12)	
	NPL27	Dialog File 351, Accession No. 5466100, Derwent WPI English language abstract for EP 0 415 211 A2 (listed on accompanying PTO/SB/08A as document FP13)	

Examiner Signature	/Kristin Bianchi/	Date Considered	01/02/2009
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<i>Complete if known</i>	
				Application Number	10/578,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443)
				Int'l Filing Date	November 4, 2004
				First Named Inventor	FISCHER, Reiner
				Art Unit	1614
				Examiner Name	<i>To Be Assigned</i>
				Attorney Docket Number	2400.032000/VLC/CMB
Sheet	4	of	5		

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>
/K.B./			
	NPL28	Dialog File 351, Accession No. 5637050, Derwent WPI English language abstract for EP 0 442 073 A2 (listed on accompanying PTO/SB/08A as document FP16)	
	NPL29	Dialog File 351, Accession No. 5637204 Derwent WPI English language abstract for EP 0 442 077 A2 (listed on accompanying PTO/SB/08A as document FP17)	
	NPL30	Dialog File 351, Accession No. 5720288, Derwent WPI English language abstract for EP 0 456 063 A2 (listed on accompanying PTO/SB/08A as document FP18)	
	NPL31	Dialog File 351, Accession No. 5984812, Derwent WPI English language abstract for EP 0 492 366 A2 (listed on accompanying PTO/SB/08A as document FP19)	
	NPL32	Dialog File 351, Accession No. 6600806, Derwent WPI English language abstract for EP 0 521 334 A1 (listed on accompanying PTO/SB/08A as document FP20)	
	NPL33	Dialog File 351, Accession No. 6665683, Derwent WPI English language abstract for EP 0 582 198 A2 (listed on accompanying PTO/SB/08A as document FP22)	
	NPL34	Dialog File 351, Accession No. 6975167, Derwent WPI English language abstract for EP 0 596 298 A2 (listed on accompanying PTO/SB/08A as document FP23)	
	NPL35	Dialog File 351, Accession No. 6979861, Derwent WPI English language abstract for EP 0 613 884 A2 (listed on accompanying PTO/SB/08A as document FP25)	
	NPL36	Dialog File 351, Accession No. 6979862, Derwent WPI English language abstract for EP 0 613 885 A2 (listed on accompanying PTO/SB/08A as document FP26)	

Examiner Signature	/Kristin Bianchi/	Date Considered	01/02/2009
-----------------------	-------------------	--------------------	------------

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and any suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20590. P.O. Box 1450, Alexandria, VA 22304. DO NOT SEND OR COMPLETE FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22304.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*



Substitute for form 1449B/PTO				<b>Complete if Known</b> Application Number 10/578,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/012443) Int'l Filing Date November 4, 2004 First Named Inventor FISCHER, Reiner Art Unit 1614 Examiner Name To Be Assigned Attorney Docket Number 2400.032000/VLC/CMB	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>					
Sheet	5	of	5		

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>
/K.B./			
	NPL37	Dialog File 351, Accession No. 7380333, Derwent WPI English language abstract for EP 0 668 267 A1 (listed on accompanying PTO/SB/08A as document FP31)	
	NPL38	Dialog File 351, Accession No. 9053979, Derwent WPI English language abstract for DE 196 21 522 A1 (listed on accompanying PTO/SB/08A as document FP40)	
	NPL39	STNEasy Database, Accession No. 1965:463065, English language abstract for Askani, R., "Reaction of 1,3-cyclohexadiene with azodicarboxylic acid diethyl ester," <i>Chem. Berichte</i> 98:2551-2555, Verlag Chemie (1965)	
	NPL40	STNEasy Database, Accession No. 1955:56638, English language abstract for Dannenberg, H. and Dannenberg-Von Dresler, D., "Synthesis of steranthrenes. III. 3,4-Aceperinaphthane and 6,7-aceperinaphthane," <i>Ann. Chem.</i> 585:1-15, (1954)	
	NPL41	STNEasy Database, Accession No. 1925:19216, English language abstract for Diels, O., <i>et al.</i> , "The endo-methylenepiperidazine resulting from cyclopentadiene and azo ester and its transformation into 1,3-diaminocyclopentane," <i>Ann. Chem.</i> 443:242-262, (1925)	
	NPL42	International Search Report for International Application No. PCT/EP2004/012443, European Patent Office, Netherlands, mailed April 8, 2005	

Examiner Signature	/Kristin Bianchi/	Date Considered	01/02/2009
-----------------------	-------------------	--------------------	------------

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and any suggestion for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20590. P.O. Box 1450, Alexandria, VA 22313-1450. NO FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: COMMISSIONER for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*